
DRAFT PERMIT #73215

PLACE ID #756

PERMITTEE: Bonanza Explorations Inc.
FACILITY: Copperstone Gold Mine
PERMIT TYPE: Class I Air Quality Permit
DATE ISSUED:
EXPIRY DATE:

SUMMARY

This Title V Class I air quality permit is issued to Bonanza Explorations Inc., the Permittee, for the continued operation of the Copperstone Gold Mine. The facility is located five miles west of MP 121.5 on U.S. 95.

A Class I Title V permit is required because this facility is subject to Arizona Administrative Code (A.A.C.) R18-2-302.B.1.d, due to being subject to the Title 40 of the Code of Federal Regulations (CFR) 63 Subpart EEEEEEE.

This permit is issued in accordance with Arizona Revised Statutes (ARS) 49-426. It contains requirements from Title 18, Chapter 2 of the A.A.C. and Title 40 of the CFR. All definitions, terms, and conditions used in this permit conform to those in R18-2-101 et. seq. of the A.A.C. and Title 40 of the CFR, except as otherwise defined in this permit.

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ATTACHMENT "A": GENERAL PROVISIONS

I. PERMIT EXPIRATION AND RENEWAL

- A.** This permit is valid for a period of five (5) years from the date of issuance.
[ARS § 49-426.F, A.A.C. R18-2-306.A.1]
- B.** The Permittee shall submit an application for renewal of this permit at least six (6) months, but not more than eighteen (18) months, prior to the date of permit expiration.
[ARS § 49-426.F, A.A.C. R18-2-304.D.2]

II. COMPLIANCE WITH PERMIT CONDITIONS

- A.** The Permittee shall comply with all conditions of this permit including all applicable requirements of the Arizona Revised Statutes (A.R.S.) Title 49, Chapter 3, and the air quality rules under Title 18, Chapter 2 of the Arizona Administrative Code. Any permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, revision; or for denial of a permit renewal application. In addition, noncompliance with any federally enforceable requirement constitutes a violation of the Clean Air Act.
[A.A.C. R18-2-306.A.8.a]
- B.** It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
[A.A.C. R18-2-306.A.8.b]

III. PERMIT REVISION, REOPENING, REVOCATION AND REISSUANCE, OR TERMINATION FOR CAUSE

- A.** The permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a permit revision, revocation and reissuance, termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[A.A.C. R18-2-306.A.8.c]
- B.** The permit shall be reopened and revised under any of the following circumstances:
1. Additional applicable requirements under the Clean Air Act become applicable to the Class I source. Such a reopening shall only occur if there are three or more years remaining in the permit term. The reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to A.A.C. R18-2-322.B. Any permit revision required pursuant to this subparagraph shall comply with the provisions in A.A.C. R18-2-322 for permit renewal and shall reset the five-year permit term;
[A.A.C. R18-2-321.A.1.a]
 2. Additional requirements, including excess emissions requirements, become applicable to an affected source under the acid rain program. Upon approval by

the Administrator, excess emissions offset plans shall be deemed to be incorporated into the Class I permit;

[A.A.C. R18-2-321.A.1.b]

3. The Director or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; and

[A.A.C. R18-2-321.A.1.c]

4. The Director or the Administrator determines that the permit needs to be revised or revoked to assure compliance with the applicable requirements.

[A.A.C. R18-2-321.A.1.d]

- C. Proceedings to reopen and issue a permit, including appeal of any final action relating to a permit reopening, shall follow the same procedures as apply to initial permit issuance and shall, except for reopenings under Condition III.B.1, affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable. Permit reopenings for reasons other than those stated in Condition III.B.1 above shall not result in a resetting of the five-year permit term.

[A.A.C. R18-2-321.A.2]

IV. POSTING OF PERMIT

- A. The Permittee shall post this permit or a certificate of permit issuance at the facility in such a manner as to be clearly visible and accessible. All equipment covered by this permit shall be clearly marked with one of the following:

1. Current permit number; or
2. Serial number or other equipment identification number (equipment ID number) that is also listed in the permit to identify that piece of equipment.

[A.A.C. R18-2-315.A]

- B. A copy of the complete permit shall be kept on site.

[A.A.C. R18-2-315.B]

V. FEE PAYMENT

The Permittee shall pay fees to the Director pursuant to ARS § 49-426(E) and A.A.C. R18-2-326.

[A.A.C. R18-2-306.A.9 and -326]

VI. ANNUAL EMISSION INVENTORY QUESTIONNAIRE

- A. The Permittee shall complete and submit to the Director an annual emissions inventory questionnaire. The questionnaire is due by March 31st or ninety (90) days after the Director makes the inventory form available each year, whichever occurs later, and shall include emission information for the previous calendar year.

[A.A.C. R18-2-327.A]

- B. The questionnaire shall be on a form provided by the Director and shall include the information required by A.A.C. R18-2-327.B.

[A.A.C. R18-2-327.B]

VII. COMPLIANCE CERTIFICATION

- A.** The Permittee shall submit a compliance certification to the Director semiannually, which describes the compliance status of the source with respect to each permit condition. The first certification shall be submitted no later than May 15th, and shall report the compliance status of the source during the period between October 1st of the previous year and March 31st of the current year. The second certification shall be submitted no later than November 15th, and shall report the compliance status of the source during the period between April 1st and September 30th of the current year.

[A.A.C. R18-2-309.2.a]

- B.** The compliance certifications shall include the following:

1. Identification of each term or condition of the permit that is the basis of the certification;
[A.A.C. R18-2-309.2.c.i]
2. Identification of the methods or other means used by the Permittee for determining the compliance status with each term and condition during the certification period,
[A.A.C. R18-2-309.2.c.ii]
3. Status of compliance with the terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the methods or means designated in Condition VII.B.2 above. The certifications shall identify each deviation and take it into account for consideration in the compliance certification;
[A.A.C. R18-2-309.2.c.iii]
4. For emission units subject to 40 CFR Part 64, the certification shall also identify as possible exceptions to compliance any period during which compliance is required and in which an excursion or exceedance defined under 40 CFR Part 64 occurred;
[A.A.C. R18-2-309.2.c.iii]
5. All instances of deviations from permit requirements reported pursuant to Condition XII.B; and
6. Other facts the Director may require to determine the compliance status of the source.
[A.A.C. R18-2-309.2.a, -309.2.c-d, and -309.5.d]

- C.** A copy of all compliance certifications shall also be submitted to the EPA Administrator.
- D.** If any outstanding compliance schedule exists, a progress report shall be submitted with the semi-annual compliance certifications required in Condition VII.A above.

VIII. CERTIFICATION OF TRUTH, ACCURACY AND COMPLETENESS

Any document required to be submitted by this permit, including reports, shall contain a certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[A.A.C. R18-2-304.I]

IX. INSPECTION AND ENTRY

- A.** Upon presentation of proper credentials, the Permittee shall allow the Director or the authorized representative of the Director to:
- B.** Enter upon the Permittee's premises where a source is located, emissions-related activity is conducted, or where records are required to be kept under the conditions of the permit;
[A.A.C. R18-2-309.4.a]
- C.** Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
[A.A.C. R18-2-309.4.b]
- D.** Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
[A.A.C. R18-2-309.4.c]
- E.** Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and
[A.A.C. R18-2-309.4.d]
- F.** Record any inspection by use of written, electronic, magnetic and photographic media.
[A.A.C. R18-2-309.4.e]

X. PERMIT REVISION PURSUANT TO FEDERAL HAZARDOUS AIR POLLUTANT STANDARD

If this source becomes subject to a standard promulgated by the Administrator pursuant to Section 112(d) of the Act, then the Permittee shall, within twelve months of the date on which the standard is promulgated, submit an application for a permit revision demonstrating how the source will comply with the standard.

[A.A.C. R18-2-304.D.3]

XI. ACCIDENTAL RELEASE PROGRAM

If this source becomes subject to the provisions of 40 CFR Part 68, then the Permittee shall comply with these provisions according to the time line specified in 40 CFR Part 68.

[40 CFR Part 68]

XII. EXCESS EMISSIONS, PERMIT DEVIATIONS, AND EMERGENCY REPORTING

- A.** Excess Emissions Reporting
[A.A.C. R18-2-310.01.A, B, and C]
 - 1. Excess emissions shall be reported as follows:

a. The Permittee shall report to the Director any emissions in excess of the limits established by this permit. Such report shall be in two parts as specified below:

(1) Notification by telephone or facsimile within 24 hours of the time when the Permittee first learned of the occurrence of excess emissions including all available information from Condition XII.A.1.b below.

(2) Detailed written notification by submission of an excess emissions report within 72 hours of the notification pursuant to Condition XII.A.1.a(1) above.

[A.A.C. R18-2-310.01.A]

b. The report shall contain the following information:

(1) Identity of each stack or other emission point where the excess emissions occurred;

[A.A.C. R18-2-310.01.B.1]

(2) Magnitude of the excess emissions expressed in the units of the applicable emission limitation and the operating data and calculations used in determining the magnitude of the excess emissions;

[A.A.C. R18-2-310.01.B.2]

(3) Date, time and duration, or expected duration, of the excess emissions;

[A.A.C. R18-2-310.01.B.3]

(4) Identity of the equipment from which the excess emissions emanated;

[A.A.C. R18-2-310.01.B.4]

(5) Nature and cause of such emissions;

[A.A.C. R18-2-310.01.B.5]

(6) If the excess emissions were the result of a malfunction, steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunctions;

[A.A.C. R18-2-310.01.B.6]

(7) Steps taken to limit the excess emissions; and

[A.A.C. R18-2-310.01.B.7]

(8) If the excess emissions resulted from start-up or malfunction, the report shall contain a list of the steps taken to comply with the permit procedures.

[A.A.C. R18-2-310.01.B.8]

2. In the case of continuous or recurring excess emissions, the notification requirements shall be satisfied if the source provides the required notification after

excess emissions are first detected and includes in such notification an estimate of the time the excess emissions will continue. Excess emissions occurring after the estimated time period, or changes in the nature of the emissions as originally reported, shall require additional notification pursuant to Condition XII.A.1 above.

[A.A.C. R18-2-310.01.C]

B. Permit Deviations Reporting

The Permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the applicable requirement contains a definition of prompt or otherwise specifies a timeframe for reporting deviations, that definition or timeframe shall govern. Where the applicable requirement does not address the timeframe for reporting deviations, the Permittee shall submit reports of deviations according to the following schedule:

1. Notice that complies with A.A.C. R18-2-310.01.A is prompt for deviations that constitute excess emissions;
2. Notice that is submitted within two working days of discovery is prompt for deviations of permit conditions identified by Condition I.B.1 of Attachment “B”; and;
3. Except as provided in Conditions XII.B.1 and 2, prompt notification of all other types of deviations shall be every 6-months, concurrent with the semi-annual compliance certifications required in Condition VII, and can be submitted on the annual/semiannual deviation monitoring report form located on the Arizona Department of Environmental Quality Website.

[A.A.C. R18-2-306.A.5.b.i]

[A.A.C. R18-2-306.A.5.a]

C. Emergency Provision

1. An “emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, that require immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
2. An emergency constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if Condition XII.C.3 is met.
3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

[A.A.C. R18-2-306.E.1]

[A.A.C. R18-2-306.E.2]

[A.A.C. R18-2-306.E.3]

- a. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
[A.A.C. R18-2-306.E.3.a]
 - b. The permitted facility was being properly operated at the time of the emergency;
[A.A.C. R18-2-306.E.3.b]
 - c. During the period of the emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
[A.A.C. R18-2-306.E.3.c]
 - d. The Permittee submitted notice of the emergency to the Director by certified mail, facsimile, or hand delivery within two working days of the time when emission limitations were exceeded due to the emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.
[A.A.C. R18-2-306.E.3.d]
4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
[A.A.C. R18-2-306.E.4]
 5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.
[A.A.C. R18-2-306.E.5]

D. Compliance Schedule

For any excess emission or permit deviation that cannot be corrected within 72 hours, the Permittee is required to submit a compliance schedule to the Director within 21 days of such occurrence. The compliance schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with the permit terms or conditions that have been violated.

[ARS § 49-426.I.3]

E. Affirmative Defenses for Excess Emissions Due to Malfunctions, Startup, and Shutdown

1. Applicability

A.A.C. R18-2-310 establishes affirmative defenses for certain emissions in excess of an emission standard or limitation and applies to all emission standards or limitations except for standards or limitations:

- a. Promulgated pursuant to Sections 111 or 112 of the Act;
[A.A.C. R18-2-310.A.1]
- b. Promulgated pursuant to Titles IV or VI of the Clean Air Act;
[A.A.C. R18-2-310.A.2]

- c. Contained in any Prevention of Significant Deterioration (PSD) or New Source Review (NSR) permit issued by the U.S. EPA;
[A.A.C. R18-2-310.A.3]
- d. Contained in A.A.C. R18-2-715.F; or
[A.A.C. R18-2-310.A.4]
- e. Included in a permit to meet the requirements of A.A.C. R18-2-406.A.5.
[A.A.C. R18-2-310.A.5]

2. Affirmative Defense for Malfunctions

Emissions in excess of an applicable emission limitation due to malfunction shall constitute a violation. When emissions in excess of an applicable emission limitation are due to a malfunction, the Permittee has an affirmative defense to a civil or administrative enforcement proceeding based on that violation, other than a judicial action seeking injunctive relief, if the Permittee has complied with the reporting requirements of A.A.C. R18-2-310.01 and has demonstrated all of the following:

[A.A.C. R18-2-310.B]

- a. The excess emissions resulted from a sudden and unavoidable breakdown of process equipment or air pollution control equipment beyond the reasonable control of the Permittee;
[A.A.C. R18-2-310.B.1]
- b. The air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;
[A.A.C. R18-2-310.B.2]
- c. If repairs were required, the repairs were made in an expeditious fashion when the applicable emission limitations were being exceeded. Off-shift labor and overtime were utilized where practicable to ensure that the repairs were made as expeditiously as possible. If off-shift labor and overtime were not utilized, the Permittee satisfactorily demonstrated that the measures were impracticable;
[A.A.C. R18-2-310.B.3]
- d. The amount and duration of the excess emissions (including any bypass operation) were minimized to the maximum extent practicable during periods of such emissions;
[A.A.C. R18-2-310.B.4]
- e. All reasonable steps were taken to minimize the impact of the excess emissions on ambient air quality;
[A.A.C. R18-2-310.B.5]
- f. The excess emissions were not part of a recurring pattern indicative of inadequate design, operation, or maintenance;
[A.A.C. R18-2-310.B.6]

- g. During the period of excess emissions there were no exceedances of the relevant ambient air quality standards established in Title 18, Chapter 2, Article 2 of the Arizona Administrative Code that could be attributed to the emitting source;
[A.A.C. R18-2-310.B.7]
- h. The excess emissions did not stem from any activity or event that could have been foreseen and avoided, or planned, and could not have been avoided by better operations and maintenance practices;
[A.A.C. R18-2-310.B.8]
- i. All emissions monitoring systems were kept in operation if at all practicable; and
[A.A.C. R18-2-310.B.9]
- j. The Permittee's actions in response to the excess emissions were documented by contemporaneous records.
[A.A.C. R18-2-310.B.10]

3. Affirmative Defense for Startup and Shutdown

- a. Except as provided in Condition XII.E.3.b, and unless otherwise provided for in the applicable requirement, emissions in excess of an applicable emission limitation due to startup and shutdown shall constitute a violation. When emissions in excess of an applicable emission limitation are due to startup and shutdown, the Permittee has an affirmative defense to a civil or administrative enforcement proceeding based on that violation, other than a judicial action seeking injunctive relief, if the Permittee has complied with the reporting requirements of A.A.C. R18-2-310.01 and has demonstrated all of the following:
[A.A.C. R18-2-310.C.1]
 - (1) The excess emissions could not have been prevented through careful and prudent planning and design;
[A.A.C. R18-2-310.C.1.a]
 - (2) If the excess emissions were the result of a bypass of control equipment, the bypass was unavoidable to prevent loss of life, personal injury, or severe damage to air pollution control equipment, production equipment, or other property;
[A.A.C. R18-2-310.C.1.b]
 - (3) The air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;
[A.A.C. R18-2-310.C.1.c]
 - (4) The amount and duration of the excess emissions (including any bypass operation) were minimized to the maximum extent practicable during periods of such emissions;
[A.A.C. R18-2-310.C.1.d]

- (5) All reasonable steps were taken to minimize the impact of the excess emissions on ambient air quality;
[A.A.C. R18-2-310.C.1.e]
 - (6) During the period of excess emissions there were no exceedances of the relevant ambient air quality standards established in Title 18, Chapter 2, Article 2 of the Arizona Administrative Code that could be attributed to the emitting source;
[A.A.C. R18-2-310.C.1.f]
 - (7) All emissions monitoring systems were kept in operation if at all practicable; and
[A.A.C. R18-2-310.C.1.g]
 - (8) Contemporaneous records documented the Permittee's actions in response to the excess emissions.
[A.A.C. R18-2-310.C.1.h]
- b. If excess emissions occur due to a malfunction during routine startup and shutdown, then those instances shall be treated as other malfunctions subject to Condition XII.E.2 above.
[A.A.C. R18-2-310.C.2]
4. Affirmative Defense for Malfunctions during Scheduled Maintenance
- If excess emissions occur due to a malfunction during scheduled maintenance, then those instances will be treated as other malfunctions subject to Condition XII.E.2.
[A.A.C. R18-2-310.D]
5. Demonstration of Reasonable and Practicable Measures
- For an affirmative defense under Condition XII.E.2 or XII.E.3, the Permittee shall demonstrate, through submission of the data and information required by Condition XII.E and A.A.C. R18-2-310.01, that all reasonable and practicable measures within the Permittee's control were implemented to prevent the occurrence of the excess emissions.
[A.A.C. R18-2-310.E]

XIII. RECORDKEEPING REQUIREMENTS

- A. The Permittee shall keep records of all required monitoring information including, but not limited to, the following:
[A.A.C. R18-2-306.A.4.a]
1. The date, place as defined in the permit, and time of sampling or measurements;
[A.A.C. R18-2-306.A.4.a.i]
 2. The date(s) any analyses were performed;
[A.A.C. R18-2-306.A.4.a.ii]
 3. The name of the company or entity that performed the analyses;
[A.A.C. R18-2-306.A.4.a.iii]

4. A description of the analytical techniques or methods used;
[A.A.C. R18-2-306.A.4.a.iv]
 5. The results of analyses; and
[A.A.C. R18-2-306.A.4.a.v]
 6. The operating conditions as existing at the time of sampling or measurement.
[A.A.C. R18-2-306.A.4.a.vi]
- B.** The Permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings or other data recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
[A.A.C. R18-2-306.A.4.b]

XIV. REPORTING REQUIREMENTS

- A.** The Permittee shall submit the following reports:
- B.** Compliance certifications in accordance with Condition VII.
[A.A.C. R18-2-306.A.5.a]
- C.** Excess emission; permit deviation, and emergency reports in accordance with Condition XII.
[A.A.C. R18-2-306.A.5.b]
- D.** Other reports required by any condition of Attachment “B”.

XV. DUTY TO PROVIDE INFORMATION

- A.** The Permittee shall furnish to the Director, within a reasonable time, any information that the Director may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the Director copies of records required to be kept by the permit. For information claimed to be confidential, the Permittee shall furnish an additional copy of such records directly to the Administrator along with a claim of confidentiality.
[A.A.C. R18-2-304.G and -306.A.8.e]
- B.** If the Permittee has failed to submit any relevant facts or has submitted incorrect information in the permit application, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.
[A.A.C. R18-2-304.H]

XVI. PERMIT AMENDMENT OR REVISION

The Permittee shall apply for a permit amendment or revision for changes to the facility which do not qualify for a facility change without revision under Condition XVII, as follows:

- A. Administrative Permit Amendment (A.A.C. R18-2-318); [A.A.C. R18-2-318]
- B. Minor Permit Revision (A.A.C. R18-2-319); and [A.A.C. R18-2-319]
- C. Significant Permit Revision (A.A.C. R18-2-320) [A.A.C. R18-2-320]
- D. The applicability and requirements for such action are defined in the above referenced regulations.

XVII. FACILITY CHANGE WITHOUT A PERMIT REVISION

- A. The Permittee may make changes at the permitted source without a permit revision if all of the following apply: [A.A.C. R18-2-317]
 - 1. The changes are not modifications under any provision of Title I of the Act or under ARS § 49-401.01(24); [A.A.C. R18-2-317.A.1]
 - 2. The changes do not exceed the emissions allowable under the permit whether expressed therein as a rate of emissions or in terms of total emissions; [A.A.C. R18-2-317.A.2]
 - 3. The changes do not violate any applicable requirements or trigger any additional applicable requirements; [A.A.C. R18-2-317.A.3]
 - 4. The changes satisfy all requirements for a minor permit revision under A.A.C. R18-2-319.A; [A.A.C. R18-2-317.A.4]
 - 5. The changes do not contravene federally enforceable permit terms and conditions that are monitoring (including test methods), record keeping, reporting, or compliance certification requirements; and [A.A.C. R18-2-317.A.5]
 - 6. The changes do not constitute a minor NSR modification. [A.A.C. R18-2-317.A.6]
- B. The substitution of an item of process or pollution control equipment for an identical or substantially similar item of process or pollution control equipment shall qualify as a change that does not require a permit revision, if it meets all of the requirements of Conditions XVII.A and XVII.C of this Attachment. [A.A.C. R18-2-317.B]
- C. For each change under Conditions XVII.A and XVII.B above, a written notice by certified mail or hand delivery shall be received by the Director and the Administrator a minimum of 7 working days in advance of the change. Notifications of changes associated with emergency conditions, such as malfunctions necessitating the replacement of equipment,

may be provided less than 7 working days in advance of the change, but must be provided as far in advance of the change, as possible or, if advance notification is not practicable, as soon after the change as possible.

[A.A.C. R18-2-317.D]

D. Each notification shall include:

1. When the proposed change will occur;

[A.A.C. R18-2-317.E.1]

2. A description of the change;

[A.A.C. R18-2-317.E.2]

3. Any change in emissions of regulated air pollutants; and

[A.A.C. R18-2-317.E.3]

4. Any permit term or condition that is no longer applicable as a result of the change.

[A.A.C. R18-2-317.E.7]

E. The permit shield described in A.A.C. R18-2-325 shall not apply to any change made under this Section.

[A.A.C. R18-2-317.F]

F. Except as otherwise provided for in the permit, making a change from one alternative operating scenario to another as provided under A.A.C. R18-2-306.A.11 shall not require any prior notice under this Section.

[A.A.C. R18-2-317.G]

G. Notwithstanding any other part of this Section, the Director may require a permit to be revised for any change that, when considered together with any other changes submitted by the same source under this Section over the term of the permit, do not satisfy Condition XVII.A above.

[A.A.C. R18-2-317.H]

XVIII. TESTING REQUIREMENTS

[A.A.C. R18-2-312]

A. The Permittee shall conduct performance tests as specified in the permit and at such other times as may be required by the Director.

B. Operational Conditions during Performance Testing

Performance tests shall be conducted under such conditions as the Director shall specify to the plant operator based on representative performance of the source. The Permittee shall make available to the Director such records as may be necessary to determine the conditions of the performance tests. Operations during periods of start-up, shutdown, and malfunction (as defined in A.A.C. R18-2-101) shall not constitute representative conditions of performance tests unless otherwise specified in the applicable standard.

C. Performance Tests shall be conducted and data reduced in accordance with the test methods and procedures contained in the Arizona Testing Manual unless modified by the Director pursuant to A.A.C. R18-2-312.B.

D. Test Plan

At least 14 working days prior to performing a test, the Permittee shall submit a test plan to the Director in accordance with A.A.C. R18-2-312.B and the Arizona Testing Manual. This test plan must include the following:

1. Test duration;
2. Test location(s);
3. Test method(s); and
4. Source operation and other parameters that may affect test results.

E. Stack Sampling Facilities

The Permittee shall provide, or cause to be provided, performance testing facilities as follows:

1. Sampling ports adequate for test methods applicable to the facility;
2. Safe sampling platform(s);
3. Safe access to sampling platform(s); and
4. Utilities for sampling and testing equipment.

F. Interpretation of Final Results

Each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic mean of the results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs is required to be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the Permittee's control, compliance may, upon the Director's approval, be determined using the arithmetic mean of the results of the other two runs. If the Director or the Director's designee is present, tests may only be stopped with the Director's or such designee's approval. If the Director or the Director's designee is not present, tests may only be stopped for good cause. Good cause includes: forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the Permittee's control. Termination of any test without good cause after the first run is commenced shall constitute a failure of the test. Supporting documentation, which demonstrates good cause, must be submitted.

G. Report of Final Test Results

A written report of the results of performance tests conducted pursuant to 40 CFR 63, shall be submitted to the Director within 60 days after the test is performed. A written report of

the results of all other performance tests shall be submitted within 30 days after the test is performed, or as otherwise provided in the Arizona Testing Manual. All performance testing reports shall be submitted in accordance with the Arizona Testing Manual and A.A.C. R18-2-312.A.

H. Extension of Performance Test Deadline

[A.A.C. R18-2-312.J]

For performance testing required under Condition XVIII.A above, the Permittee may request an extension to a performance test deadline due to a force majeure event as follows:

[A.A.C. R18-2-312.J]

1. If a force majeure event is about to occur, occurs, or has occurred for which the Permittee intends to assert a claim of force majeure, the Permittee shall notify the Director in writing as soon as practicable following the date the Permittee first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline. The notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall be given as soon as practicable.

[A.A.C. R18-2-312.J.1]

2. The Permittee shall provide to the Director a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the Permittee proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure event occurs.

[A.A.C. R18-2-312.J.2]

3. The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Director. The Director shall notify the Permittee in writing of approval or disapproval of the request for an extension as soon as practicable.

[A.A.C. R18-2-312.J.3]

4. Until an extension of the performance test deadline has been approved by the Director under subsections Conditions XVIII.H.1, 2, and 3 above, the Permittee remains subject to the requirements of Condition XVII of Attachment A.

[A.A.C. R18-2-312.J.4]

5. For purposes of Condition XVIII, a “force majeure event” means an event that will be or has been caused by circumstances beyond the control of the Permittee, its contractors, or any entity controlled by the Permittee that prevents it from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the Permittee's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the Permittee.

[A.A.C. R18-2-312.J.1]

XIX. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

[A.A.C. R18-2-306.A.8.d]

XX. SEVERABILITY CLAUSE

The provisions of this permit are severable. In the event of a challenge to any portion of this permit, or if any portion of this permit is held invalid, the remaining permit conditions remain valid and in force.

[A.A.C. R18-2-306.A.7]

XXI. PERMIT SHIELD

Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements identified in the portions of this permit subtitled "Permit Shield". The permit shield shall not apply to minor revisions pursuant to Condition XVI.B of this Attachment and any facility changes without a permit revision pursuant to Condition XVII of this Attachment.

[A.A.C. R18-2-317.F, - 320, and -325]

XXII. PROTECTION OF STRATOSPHERIC OZONE

If this source becomes subject to the provisions of 40 CFR Part 82, then the Permittee shall comply with these provisions accordingly.

[40 CFR Part 82]

XXIII. APPLICABILITY OF NSPS/NESHAP GENERAL PROVISIONS

For all equipment subject to a New Source Performance Standard or a National Emission Standard for Hazardous Air Pollutants, the Permittee shall comply with all applicable requirements contained in Subpart A of Title 40, Chapter 60 and Chapter 63 of the Code of Federal Regulations.

[40 CFR Part 60 and Part 63]

ATTACHMENT "B": SPECIFIC CONDITIONS

I. FACILITY-WIDE REQUIREMENTS

A. Opacity

1. Instantaneous Surveys and Six-Minute Observations

a. Instantaneous Surveys

Any instantaneous survey required by this permit shall be determined by either option listed in Conditions I.A.1.a(1) and (2)

(1) Alternative Method ALT-082 (Digital Camera Operating Technique)

(a) The Permittee, or Permittee representative, shall be certified in the use of Alternative Method ALT-082.

(b) The results of all instantaneous surveys and six-minute observations shall be obtained within 30 minutes.

[A.A.C. R18-2-311.b]

(2) EPA Reference Method 9 Certified Observer.

[A.A.C. R18-2-306.A.3.c]

b. Six-Minute Observations

Any six-minute observation required by this permit shall be determined by either option listed in Conditions I.A.1.b(1) and (2)

(1) Alternative Method ALT-082 (Digital Camera Operating Technique)

(a) The Permittee, or Permittee representative, shall be certified in the use of Alternative Method ALT-082.

(b) The results of all instantaneous surveys and six-minute observations shall be obtained within 30 minutes.

[A.A.C. R18-2-311.b]

(2) EPA Reference Method 9.

c. The Permittee shall have on site or on call a person certified in EPA Reference Method 9 unless all 6-minute Method 9 observations required by this permit are conducted as a 6-minute Alternative Method-082 (Digital Camera Operating Technique) and all instantaneous visual surveys required by this permit are conducted as an instantaneous Alt-082 camera survey. Any 6-minute Method 9 observation required by this permit can be conducted as a 6-minute Alternative Method-082 and any

instantaneous visual survey required by this permit can be conducted as an instantaneous Alt-082 camera survey.

[A.A.C. R18-2-306.A.3.c]

2. Monitoring, Recordkeeping, and Reporting Requirements

- a. At the frequency specified in the following sections of this permit, the Permittee shall conduct an instantaneous survey of visible emissions from both process stack sources, when in operation, and fugitive dust sources.
- b. If the plume on an instantaneous basis appears less than or equal to the applicable opacity standard, then the Permittee shall keep a record of the name of the observer, the date on which the instantaneous survey was made, and the results of the instantaneous survey.
- c. If the plume on an instantaneous basis appears greater than the applicable opacity standard, then the Permittee shall immediately conduct a six-minute observation of the plume.
 - (1) If the six-minute observation of the plume is less than or equal to the applicable opacity standard, then the Permittee shall record the name of the observer, the date on which the six-minute observation was made, and the results of the six-minute observation.
 - (2) If the six-minute observation of the plume is greater than the applicable opacity standard, then the Permittee shall do the following:
 - (a) Adjust or repair the controls or equipment to reduce opacity to less than or equal to the opacity standard;
 - (b) Record the name of the observer, the date on which the six-minute observation was made, the results of the six-minute observation, and all corrective action taken; and
 - (c) Report the event as an excess emission for opacity in accordance with Condition XII.A of Attachment "A".
 - (d) Conduct another six-minute observation to document the effectiveness of the adjustments or repairs completed.

[A.A.C. R18-2-306.A.3.c]

B. Reporting Requirements

1. Deviations from the following Attachment "B" permit conditions shall be promptly reported in accordance with Condition XII.B.2 of Attachment "A":
 - a. Condition IV.D

[A.A.C. R18-2-306.01.A.5.b]

II. REQUIREMENTS FOR METALLIC MINERAL PROCESSING SOURCES

A. Applicability

This section applies to the crushing and screening equipment subject to 40 CFR 60 Subpart LL

B. Operating Limit

The Permittee shall limit its crushing/screening operations to 210,000 tons per year on 12-month rolling total basis.

[A.A.C. R-18-306.01, 331.A.3.a]

[Material permit condition italics and underlined]

C. Particulate Matter and Opacity standards:

The Permittee shall not allow to be discharged into the atmosphere any fugitive emissions which exhibit visible emissions greater than 10 percent opacity.

[40 CFR 60.382(b) and A.A.C. R18-2-331.A.3.f]

[Material permit condition italics and underlined]

D. Monitoring, Recordkeeping and Reporting Requirements

1. The Permittee shall maintain records of the total daily throughput of material, in tons per day, processed by the crushing and screening plant. At the end of every month, the Permittee shall calculate and record the ore processed in the month, and 12-month rolling total of the ore processed.

[A.A.C. R-18-306.01.A]

2. The permittee shall conduct monthly opacity tests in accordance with Condition I.A.2 of Attachment "B".

[A.A.C. 306.A.3.c]

III. EXISTING EMERGENCY COMPRESSION IGNITION ENGINES

A. Applicability

This section applies to the 207-HP Emergency Engine

B. Fuel Limitations

1. The Permittee shall only fire diesel fuel in the internal combustion engines.

[A.A.C. R18-2-306.A.2]

2. The diesel fuel shall not contain 0.90% or more by weight of sulfur.

[A.A.C. R18-2-701.20, 719.H]

3. Permit Shield

Compliance with the Fuel Limitations subsection of this permit shall be deemed compliance with A.A.C. R18-2-719.H.

[A.A.C. R18-2-325]

C. Particulate Matter and Opacity

1. Emission Limitations and Standards

- a. The Permittee shall not cause or allow to be discharged into the atmosphere from any engine particulate matter in excess of the amount calculated by the following equation:

[A.A.C. R18-2-719.C.1]

$$E = 1.02 Q^{0.769}$$

Where:

E = the maximum allowable particulate emissions rate in pounds-mass per hour

Q = the heat input in million Btu per hour

- b. For the purposes of the calculations required in Condition III.C.1.a above, the heat input shall be the aggregate heat content of all fuels whose products of combustion pass through a stack or other outlet. The total heat input of all operating fuel-burning units at a plant or premises shall be used for determining the maximum allowable amount of particulate matter which may be emitted.

[A.A.C. R18-2-719.B]

- c. The Permittee shall not cause, allow or permit to be emitted into the atmosphere from any engine, smoke for any period greater than 10 consecutive seconds which exceeds 40% opacity. Visible emissions when starting cold equipment shall be exempt from this requirement for the first 10 minutes.

[A.A.C. R18-2-719.E]

2. Monitoring, Recordkeeping and Reporting Requirements

The Permittee shall conduct quarterly periodic opacity monitoring for the engines, when in operation, as per Condition I.A.2 of Attachment "B".

[A.A.C. R18-2-306.A.3.c, .306.A.4.a and 306.A.5]

3. Permit Shield

Compliance with the conditions of Particulate Matter and Opacity Subsection shall be deemed compliance with A.A.C. R18-2-719.B, 719.C.1 and 719.E.

[A.A.C. R18-2-325]

D. Sulfur Dioxide

1. Emission Limitations and Standards

The Permittee shall not emit or cause to emit more than 1.0 pound of sulfur dioxide per million Btu heat input for any engine.

[A.A.C. R18-2-719.F]

2. The Permittee shall comply with the emission standards in Condition III.D.1 by using ultra low sulfur diesel fuel.

[A.A.C. R18-2-306.A.3.c]

3. Permit Shield

Compliance with the conditions of the Sulfur Dioxide Subsection shall be deemed compliance with A.A.C. R18-2-719.F.

[A.A.C. R18-2-325]

E. Hazardous Air Pollutants

1. General Requirements

- a. The Permittee shall operate and maintain at all times the engine including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

[40 CFR 63.6605(b)]

- b. The Permittee shall minimize the engine time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in shall apply.

[40 CFR 63.6625(h)]

- c. For emergency engines or engines less than 300 HP, the Permittee shall operate and maintain the engine and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

[40 CFR 63.6625(e)]

2. Requirements for Emergency engines

- a. The Permittee shall comply with the following operation and maintenance requirements:

[40 CFR 63.6603, 63.6625(i) and 40 CFR 63, Subpart ZZZZ, Table 2d]

- (1) The Permittee shall change the oil and filter every 500 hours operation or annually, whichever comes first. If the Permittee prefers to extend the oil change requirement, an oil analysis program shall be completed. The oil analysis must be performed at the same frequency specified for changing the oil. The Permittee shall at a minimum analyze the following three parameters: Total Base Number, viscosity and water content. The condemning limits for these parameters are as follows:

- (a) Total Base Number is less than 30 percent of the Total Base Number of the oil when new;
- (b) Viscosity: changed more than 20 percent from the viscosity of oil when new; and
- (c) Water Content: greater than 0.5 percent by volume.

If all of the above limits are not exceeded, the Permittee is not required to change the oil. If any of the above limits are exceeded, the Permittee shall change the oil within 2 business days of receiving the results of the analysis or before commencing operation, whichever is later. Records shall be kept of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program shall be part of the maintenance plan for the operation of the engine.

- (2) The Permittee shall inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.
- (3) The Permittee shall inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

- b. If the emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Conditions III.E.2.a(1) through III.E.2.a(3), or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice shall be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated.

[40 CFR 63, Subpart ZZZZ, Table 2d]

- c. The Permittee shall operate the emergency engines according to the requirements in Conditions III.E.2.c(1) through III.E.2.c(3).

[40 CFR 60.6640(f)]

- (1) There is no time limit on the use of emergency engine in emergency situations.
- (2) The Permittee may operate the emergency engine for the purpose of maintenance checks and readiness testing for a maximum of 100 hours per calendar year provided that the tests are recommended by Federal, State, or local government, the manufacturer, the vendor, or the insurance company associated

with the engine. The Permittee may petition the Director for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the Permittee maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency ICE beyond 100 hours per year.

- (3) The Permittee may operate an emergency engine for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing.

- d. *The Permittee shall install a non-resettable hour meter if one is not already installed.*

[40 CFR 63.6625(f), R18-2-331.A.3.c]

[Material Permit Conditions are indicated by underline and italics]

3. Recordkeeping Requirements

- a. For emergency engines, the Permittee shall keep records of the hours of operation of the RICE that is recorded through the non-resettable hour meter. Records shall include the date, start and stop times, hours spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

[40 CFR 63.6655(f)]

- b. For emergency engines, and engines less than or equal to 300 HP,

- (1) The Permittee shall keep records of the parameters that are analyzed and the results of the oil analysis, if any, and the oil changes for the engine.

[40 CFR 63.6625(i)]

- (2) The Permittee shall keep records of the maintenance conducted on the engine in order to demonstrate that the engine and after-treatment control device (if any) were operated and maintained in accordance with the Permittee's maintenance plan.

[40 CFR 63.6655(e)]

- c. The Permittee shall keep the records to show continuous compliance with each emission or operating limitation.

[40 CFR 63.6655(d)]

- d. The Permittee shall keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. The records shall be in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1).

[40 CFR 63.6660(a)-(c)]

4. Notification Requirements

- a. The Permittee shall submit all of the applicable notifications in 40 CFR 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) for engines greater than 100 HP.

[40 CFR 63.6645(a)(2) and (a)(5)]

- b. The Permittee shall submit a Notification of Compliance Status according to §63.9(h)(2)(ii) as below:

[40 CFR 63.6645(h)]

5. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with 63.6603(a), 63.6604(a), 63.6605(b), 63.6612(a), 63.6615, 63.6625(a), 63.6625(b), 63.6625(e), 63.6625(f), 63.6625(g), 63.6625(h), 63.6625(i), 63.6630(a), 63.6640(a), 63.6640(f), 63.6645(a), 63.6645(g), 63.6645(h), 63.6650(a) through (e), 63.6655(a), 63.6655(b), 63.6655(d), 63.6655(e), and 63.6655(f)

[A.A.C. R18-2-325]

IV. GOLD ORE PROCESSING OPERATIONS

A. Applicability

The requirements of this section are applicable to the equipment identified as subject to 40 CFR 63 Subpart EEEEEEE in Attachment “C”. Bonanza Explorations uses a carbon process as described in 40 CFR 63 Subpart 7E for gold ore processing.

B. Mercury Emission Limitations

The permittee shall not emit more than 0.8 pounds of mercury per ton of concentrate processed.

[40 CFR 63.11645(f)]

C. Compliance Requirements

1. The permittee shall conduct a mercury compliance test within 180 days of startup for all applicable emission points. The mercury emission points to be tested are the Induction Furnace exhaust stack, and if present, the Mercury Retort stack (downstream of emission control systems). The permittee shall repeat this compliance test annually thereafter.

- a. The permittee shall determine the concentration of mercury and the volumetric flow rate of the stack gas using the methods described in 40 CRF 63.11646(a)(1)(i) through (a)(3).

[40 CFR 63.11646(a)(1)]

- b. The permittee shall calculate the mercury emission rate (lb/hr), based on the average of 3 test run values, for each process unit (or combination of units that are ducted to a common stack.

[40 CFR 63.11646(a)(4)]

- c. The permittee shall monitor and record the number of one-hour periods each process unit operates during each month.
[40 CFR 63.11646(a)(5)]
- d. For the initial compliance determination, the permittee shall determine the total mercury emissions for all the full calendar months between the compliance date and the date of the initial compliance test by multiplying the emission rate in lb/hr for each process unit by the number of one-hour periods each process unit operated during those full calendar months prior to the initial compliance test.
[40 CFR 63.11646(a)(6)]
- e. For compliance determinations after the initial test, the permittee shall determine the total mercury emissions for the full 12 calendar months preceding the performance test by multiplying the emission rate in lb/hr for each process unit by the number of one-hour periods each process unit operated during those 12 full calendar months preceding the compliance test.
[40 CFR 63.11646(a)(7)]
- f. The permittee shall measure the weight of concentrate produced by electrowinning, or other methods using weigh scales for each batch prior to processing in mercury retorts or melt furnaces. For facilities with mercury retorts, the concentrate must be weighed in the same state and condition as it is when fed to the mercury retort.
[40 CFR 63.11646(a)(9)]
- g. The permittee shall maintain the systems for measuring concentrate weight within ± 5 percent accuracy. Describe the specific equipment used to make measurements, and how that equipment is periodically calibrated. Document, and maintain written procedures for determining the accuracy of the measurements. Maintain a record of the accuracy of the measuring systems before the initial compliance test and during each subsequent quarter of operation.
[40 CFR 63.11646(a)(10)]
- h. The permittee shall record the weight in tons concentrate (sludge) for carbon processes with mercury retorts on a daily and monthly basis.
[40 CFR 63.11646(a)(11)]
- i. The permittee shall calculate the emissions from each new affected source for the sum of all full months between the compliance date and the date of the initial compliance test in pounds of mercury per ton of process input using the procedures in paragraphs (a)(12)(ii) and (a)(12)(iii) of 40 CFR 63.1146 to determine initial compliance with the emission standards in §63.11645 for carbon process with or without mercury retorts.
[40 CFR 63.11646(a)(12)]
- j. After the initial compliance test, the permittee shall determine annual compliance using the procedures in paragraph (a)(13)(ii) and (a)(13)(iii) of 63.1146 for carbon processes with and without mercury retorts.

[40 CFR 63.11646(a)(13)]

D. Air Pollution Control Requirements

At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, install, maintain, and operate the affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with good air pollution control practice for minimizing emissions.

[40 CFR 63.11646(b), A.A.C. R18-2-306.A.2 and -331.A.3.d & e]
[Material permit conditions are indicated by underline and italics]

E. Monitoring, Recordkeeping and Reporting Requirements

1. The permittee shall monitor each process unit that uses a carbon adsorber to control mercury emissions using either of the following procedures described in IV.E.1.a or IV.E.1.b:

[40 CFR 63.11647(f)]

a. Continuously sample/analyze the exhaust stream from the carbon adsorber for mercury, Method 30B (40 CFR part 60, appendix A-8).

[40 CFR 63.11647(f)(1)]

(1) Establish an upper operating limit for the process as determined using the mercury concentration measurements from the sorbent trap (Method 30B).

(2) Sample and analyze the exhaust stream from the carbon adsorber for mercury at least monthly using Method 30B (40 CFR part 60, appendix A- 8). When the mercury concentration reaches 75 percent of the operating limit, begin weekly sampling and analysis. When the mercury concentration reaches 90 percent of the operating limit, replace the carbon in the carbon adsorber within 30 days. If mercury concentration exceeds the operating limit, change the carbon in the carbon adsorber within 30 days and report the deviation to the Director.

b. Conduct an initial sampling of the carbon in the carbon bed for mercury 90 days after the replacement of the carbon. A representative sample must be collected from the inlet of the bed and the exit of the bed and analyzed using SW-846 Method 7471B (incorporated by reference—see § 63.14). The depth to which the sampler is inserted must be recorded. The design capacity is established by calculating the average carbon loading from the inlet and outlet measurements. Sampling and analysis of the carbon bed for mercury must be performed quarterly thereafter. When the carbon loading reaches 50 percent of the design capacity of the carbon, monthly sampling must be performed until 90 percent of the carbon loading capacity is reached. The carbon must be removed and replaced with fresh carbon no later than 30 days after reaching 90 percent of capacity. For carbon designs where there may be multiple carbon columns or beds, a representative sample may be collected from the first and last column or bed instead of the inlet or outlet. If the carbon loading exceeds the design

capacity of the carbon, change the carbon within 30 days and report the deviation to your permitting authority.

[40 CFR 63.11647(f)(2)]

2. The permittee shall establish temperature monitoring and corrective action timeframes. Monitor gas stream temperature at the inlet to the carbon adsorber for each process unit equipped with a carbon adsorber. Establish a maximum value for the inlet temperature either during the annual performance test (required in §63.11646(a)), according to the manufacturer's specifications. Monitor the inlet temperature once per shift. If an inlet temperature exceeds the temperature operating limit, the permittee shall take corrective actions to get the temperature back within the parameter operating limit within 48 hours.

[40 CFR 63.11647(g)]

3. The permittee shall conduct additional compliance tests according to the procedures in §63.11646 in order to re-establish the operating limits required in paragraphs (f) through (h) of §63.11647 at any time. Submit a request to the Arizona Department of Environmental Quality for approval to re-establish the operating limits, and demonstrate that the proposed change to the operating limit detects changes in levels of mercury emission control.

[40 CFR 63.11647(i)]

4. The permittee shall submit the Initial Notification required by §63.9(b)(2) within 120 days after the source becomes subject to the standard. The Initial Notification must include the information specified in §63.9(b)(2)(i) through (b)(2)(iv).

[40 CFR 63.11648(a)]

5. The permittee shall submit an initial Notification of Compliance Status as required by §63.9(h).

[40 CFR 63.11648(b)]

6. The permittee shall submit a deviation report if a deviation occurs during a semiannual reporting period, according to the requirements in paragraphs (c)(1) and (2) of 63.11648.

[40 CFR 63.11648(c)]

7. If there is a malfunction during the reporting period, the compliance report required in §63.11648(b) must include the number, duration, and a brief description for each type of malfunction which occurred and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by the permittee during a malfunction of an affected source to minimize emissions in accordance with §63.11646(b), including actions taken to correct a malfunction.

[40 CFR 63.11648(d)]

8. The permittee shall keep the records specified in paragraphs (e)(1) through (e)(3) of §63.11648. The form and maintenance of records must be consistent with the requirements in section 63.10(b)(1) of the General Provisions. Records must be in a form suitable and readily available for expeditious review. As specified in §63.10(b)(1), keep each record for 5 years following the date of each recorded action, onsite for at least 2 years after the date of each recorded action according

to §63.10(b)(1), and the facility may keep the records offsite for the remaining 3 years.

[40 CFR 63.11648(e) and (f)]

9. The permittee shall submit the test data to EPA by entering the data electronically into EPA's WebFIRE data base through EPA's Central Data Exchange within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with §63.11648. The permittee shall enter the test data into EPA's data base using the Electronic Reporting Tool or other compatible electronic spreadsheet.

[40 CFR 63.11648(g)]

F. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with 40 CFR 63.11641(c), 11645(f), 11646(a) & (b), 11647(f), (g) & (i), and 11648(a) through (g).

[A.A.C. R18-2-325]

V. FUGITIVE DUST REQUIREMENTS

A. Applicability

This Section applies to any non-point source of fugitive dust in the facility.

B. Particulate Matter and Opacity

Open Areas, Roadways & Streets, Storage Piles, and Material Handling

1. Emission Limitations/Standards

- a. Opacity of emissions from any fugitive dust non-point source shall not be greater than 40%.

[A.A.C. R18-2-614]

- b. The Permittee shall employ the following reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne:

- (1) Keep dust and other types of air contaminants to a minimum in an open area where construction operations, repair operations, demolition activities, clearing operations, leveling operations, or any earth moving or excavating activities are taking place, by good modern practices such as using an approved dust suppressant or adhesive soil stabilizer, paving, covering, landscaping, continuous wetting, detouring, barring access, or other acceptable means;

[A.A.C. R18-2-604.A]

- (2) Keep dust to a minimum from driveways, parking areas, and vacant lots where motor vehicular activity occurs by using an approved dust suppressant, or adhesive soil stabilizer, or by

paving, or by barring access to the property, or by other acceptable means;

[A.A.C. R18-2-604.B]

- (3) Keep dust and other particulates to a minimum by employing dust suppressants, temporary paving, detouring, wetting down or by other reasonable means when a roadway is repaired, constructed, or reconstructed;

[A.A.C. R18-2-605.A]

- (4) Take reasonable precautions, such as wetting, applying dust suppressants, or covering the load when transporting material likely to give rise to airborne dust;

[A.A.C. R18-2-605.B]

- (5) Take reasonable precautions, such as the use of spray bars, wetting agents, dust suppressants, covering the load, and hoods when crushing, handling, or conveying material likely to give rise to airborne dust;

[A.A.C. R18-2-606]

- (6) Take reasonable precautions such as chemical stabilization, wetting, or covering when organic or inorganic dust producing material is being stacked, piled, or otherwise stored;

[A.A.C. R18-2-607.A]

- (7) Operate stacking and reclaiming machinery utilized at storage piles at all times with a minimum fall of material, or with the use of spray bars and wetting agents;

[A.A.C. R18-2-607.B]

- (8) Any other method as proposed by the Permittee and approved by the Director.

[A.A.C. R18-2-306.A.3.c]

- (9) Operate mineral tailings piles by taking reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne. Reasonable precautions shall mean wetting, chemical stabilization, revegetation or such other measures as are approved by the Director.

[A.A.C. R18-2-608]

- (10) The Permittee shall take reasonable precautions, such as the use of dust suppressants, before the cleaning of a site, roadway, or alley. Earth or other material shall be removed from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water or by other means.

[A.A.C. R18-2-804.B]

2. Air Pollution Control Requirements

Haul Roads and Storage Piles

Water, or an equivalent control, shall be used to control visible emissions from haul roads and storage piles.

[A.A.C. R18-2-306.A.2 and -331.A.3.d]

[Material Permit Condition is indicated by underline and italics]

3. Monitoring and Recordkeeping Requirements

a. The Permittee shall maintain records of the dates on which any of the activities listed in Condition V.B.1.b above were performed and the control measures that were adopted.

[A.A.C. R18-2-306.A.3.c]

b. Opacity Monitoring Requirements

Each month, the Permittee shall monitor visible emissions from fugitive sources in accordance with Condition I.A.

[A.A.C. R18-2-306.A.3.c]

4. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with A.A.C. R18-2-604, -605, -606, 607, -608, -614, and -804.B.

VI. OTHER PERIODIC ACTIVITIES

A. Abrasive Blasting

1. Particulate Matter and Opacity

a. Emission Limitations/Standards

(1) The Permittee shall not cause or allow sandblasting or other abrasive blasting without minimizing dust emissions to the atmosphere through the use of good modern practices. Good modern practices include:

(2) Wet blasting;

(3) Effective enclosures with necessary dust collecting equipment; or

(4) Any other method approved by the Director.

[A.A.C. R18-2-726]

b. Opacity

The Permittee shall not cause, allow or permit visible emissions from sandblasting or other abrasive blasting operations in excess of 20% opacity.

[A.A.C. R18-2-702.B.3]

2. Monitoring and Recordkeeping Requirement

Each time an abrasive blasting project is conducted, the Permittee shall make a record of the following:

- a. The date the project was conducted;
- b. The duration of the project; and
- c. Type of control measures employed.

[A.A.C. R18-2-306.A.3.c]

3. Permit Shield

Compliance with this Section shall be deemed compliance with A.A.C. R18-2-702.B.3 and -726.

[A.A.C.R18-2-325]

B. Use of Paints

1. Volatile Organic Compounds

a. Emission Limitations/Standards

- (1) While performing spray painting operations, the Permittee shall comply with the following requirements:
- (2) The Permittee shall not conduct or cause to be conducted any spray painting operation without minimizing organic solvent emissions. Such operations, other than architectural coating and spot painting, shall be conducted in an enclosed area equipped with controls containing no less than 96 percent of the overspray.
[A.A.C.R18-2-727.A]
- (3) The Permittee or their designated contractor shall not either:
 - (a) Employ, apply, evaporate, or dry any architectural coating containing photochemically reactive solvents for industrial or commercial purposes; or
 - (b) Thin or dilute any architectural coating with a photochemically reactive solvent.
[A.A.C.R18-2-727.B]
- (4) For the purposes of Condition VI.B.1.a(2), a photochemically reactive solvent shall be any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified in Condition VI.B.1.a(3), or which exceeds any of the following percentage composition limitations, referred to the total volume of solvent:

[A.A.C.R18-2-727.B]

- (a) A combination of the following types of compounds having an olefinic or cyclo-olefinic type of unsaturation-hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones: 5 percent.
- (b) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent.
- (c) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

[A.A.C.R18-2-727.C]

- (5) Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the groups of organic compounds described in Condition VI.B.1.a(3), it shall be considered to be a member of the group having the least allowable percent of the total volume of solvents.

[A.A.C.R18-2-727.D]

b. Monitoring and Recordkeeping Requirements

- (1) Each time a spray painting project is conducted, the Permittee shall make a record of the following:
 - (a) The date the project was conducted;
 - (b) The duration of the project;
 - (c) Type of control measures employed;
 - (d) Safety Data Sheets (SDS) for all paints and solvents used in the project; and
 - (e) The amount of paint consumed during the project.

- (2) Architectural coating and spot painting projects shall be exempt from the recordkeeping requirements of Condition VI.B.1.b(1).

[A.A.C. R18-2-306.A.3.c]

c. Permit Shield

- (1) Compliance with this Section shall be deemed compliance with A.A.C.R18-2-727.

[A.A.C.R18-2-325]

2. Opacity

a. Emission Limitation/Standard

The Permittee shall not cause, allow or permit visible emissions from painting operations in excess of 20% opacity.

[A.A.C. R18-2-702.B.3]

b. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with A.A.C.R18-2-702.B.3.

[A.A.C. R18-2-325]

C. Demolition/Renovation - Hazardous Air Pollutants

1. Emission Limitation/Standard

The Permittee shall comply with all of the requirements of 40 CFR 61 Subpart M (National Emissions Standards for Hazardous Air Pollutants - Asbestos).

[A.A.C. R18-2-1101.A.12]

2. Monitoring and Recordkeeping Requirement

The Permittee shall keep all required records in a file. The required records shall include the “NESHAP Notification for Renovation and Demolition Activities” form and all supporting documents.

[A.A.C. R18-2-306.A.3.c]

3. Permit Shield

Compliance with the conditions of this Section shall be deemed compliance with A.A.C. R18-2-1101.A.12.

[A.A.C. R18-2-325]

ATTACHMENT “C”: EQUIPMENT LIST

Equipment Type	I.D. No.	Maximum Capacity	Make	Model	Date of MFG.
Truck dump feed chute	2100-OS-1	50 ton	TBD	Custom fab	TBD
Grizzly feeder	2100	50 tph	JW Jones	Custom fab	TBD
Jaw crusher	2100-JC-1	75 tph	JW Jones	Rock Master	2009
Coarse crush conveyor	2100-CON-1	15 hp	JW Jones	Custom fab	TBD
Screen feed conveyor	2100-CON-2	15 hp	JW Jones	Custom fab	TBD
Tyler vibrating Screen	2100-SCN-1	50 tph	JW Jones	Custom fab	TBD
Fine ore chute	2100-CHT-1	50 tph	JW Jones	Custom fab	TBD
Fine ore bin	2200-BIN-1	450 ton	TBD	TBD	TBD
Final screen conveyor	2100-CON-3	15 hp	JW Jones	Custom fab	TBD
Cone crusher	2100-CC-1	75 tph	Symons	TBD	TBD
Scissors conveyor	2100-CON-4 & 5	15 hp	JW Jones	Custom fab	TBD
Fine ore conveyor	2200-CON-4	20 hp	JW Jones	Custom fab	TBD
Vibratory feeders (2)	2200-FEED-1	20.8 tph	JVI	MPF	TBD
Ball mill feed conveyor	2200-CON-5	20.8 tph	TBD	Custom fab	TBD
Dry solids lab dust collector	TBD	5200 cfm	TBD	TBD	TBD
Emergency generator	TBD	207 hp	Cummins	ONAN Gen Set 125	1989
Diesel tank	TBD	5000 gal	TBD	TBD	TBD
Ventilation fans (2)	1200-FNM-1 & 2	100 hp	Alphair	Vane axil, 42”	2005
Operational fans (6)	1200-FNU-1 thru 6	50 hp	Alphair	Vane axil, 24”	2005
Pre-Leach Thickener	In Design	Custom	Custom	TBD	400-TH-001
Leach Tank Feed Box	In Design	Custom	Custom	TBD	400-BX-002
Leach Tank 1 w/Agitator	In Design	Custom	Custom	TBD	400-TK-001
Leach Tank 2 w/Agitator	In Design	Custom	Custom	TBD	400-TK-002
Leach Tank 3 w/Agitator	In Design	Custom	Custom	TBD	400-TK-003

Equipment Type	I.D. No.	Maximum Capacity	Make	Model	Date of Manufacture
Leach Tank 4 w/Agitator	In Design	Custom	Custom	TBD	400-TK-004
Leach Tank 5 w/Agitator	In Design	Custom	Custom	TBD	400-TK-005
Post-Leach Thickener Feed Tank	In Design	Custom	Custom	TBD	400-BX-003
Post-Leach Thickener	In Design	Custom	Custom	TBD	400-TH-002
Filter Feed Tank w/Agitator	In Design	Custom	Custom	TBD	400-TK-008
Post-Leach Filter	In Design	Custom	Custom	TBD	400-FL-001
Carbon Column 1	In Design	Custom	Custom	TBD	500-CO-001
Carbon Column 2	In Design	Custom	Custom	TBD	500-CO-002
Carbon Column 3	In Design	Custom	Custom	TBD	500-CO-003
Carbon Column 4	In Design	Custom	Custom	TBD	500-CO-004
Carbon Column 5	In Design	Custom	Custom	TBD	500-CO-004
Acid Wash Dilute Acid Tank	In Design	Custom	Custom	TBD	500-TK-004
Acid Wash Neutralization Tank	In Design	Custom	Custom	TBD	500-TK-005
Acid Wash Column	In Design	Custom	Custom	TBD	500-TK-002
Acid Wash Fume Scrubber	In Design	Custom	Custom	TBD	500-DC-001
Strip Solution Tank	In Design	Custom	Custom	TBD	500-TK-006
Strip Vessel	In Design	Custom	Custom	TBD	500-TK-003
Electrowinning Cell	In Design	Custom	Custom	TBD	500-EW-001
Barren Eluate Return Tank	In Design	Custom	Custom	TBD	500-TK-007
Strip/Electrowinning Mist Eliminator	In Design	Custom	Custom	TBD	500-DC-002
Strip/Electrowinning Carbon Adsorption Bed	In Design	Sulfur-impregnated Carbon Bed	Custom	TBD	500-MS-005
Mercury Retort	In Design	Custom	Custom	TBD	500-DR-001
Mercury Condenser	In Design	Custom	Custom	TBD	500-DR-001-HX

Equipment Type	I.D. No.	Maximum Capacity	Make	Model	Date of Manufacture
Mercury Cond. Carbon Filter	In Design	Custom	Custom	TBD	400-BX-002
Induction Furnace w/Hood	In Design	Custom	Custom	TBD	400-TK-002
Furnace/Refinery Baghouse	In Design	Custom	Custom	TBD	400-TK-003
Furnace/Refinery HEPA Filter	In Design	Custom	Custom	TBD	400-TK-004
Furnace/Refinery Carbon Filter	In Design	Sulfur-impregnated Carbon Bed	Custom	TBD	400-TK-005
Repulp Solids Tank	In Design	Custom	Custom	TBD	650-TK-001
Cyanide Deconstruction Tank	In Design	Custom	Custom	TBD	650-TK-002
Cyanide Deconstruction Tank	In Design	Custom	Custom	TBD	650-TK-003
SART Acidification Tank	In Design	Custom	Custom	TBD	450-TK-001
SART Copper Thickener	In Design	Custom	Custom	TBD	450-TH-001
SART Thickener Overflow Tank	In Design	Custom	Custom	TBD	450-TK-002
SART Copper Filter Feed Tank	In Design	Custom	Custom	TBD	450-TK-003
SART Neutralization Tank 1	In Design	Custom	Custom	TBD	450-TK-004
SART Neutralization Tank 2	In Design	Custom	Custom	TBD	450-TK-005
SART Gypsum Thickener	In Design	Custom	Custom	TBD	450-TH-002
Sodium hydrosulfide (NaHS) Storage tank	In Design	Custom	Custom	TBD	850-TK-002
SART Process Scrubber	In Design	TBD	TBD	TBD	450-SB-001